

Message Text

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PAGE 01 DURBAN 00324 190932Z

22

ACTION AF-08

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 L-03 SY-05

SCCT-01 CIAE-00 DODE-00 INR-07 NSAE-00 PA-02 USIA-15

PRS-01 DHA-02 ORM-02 IO-13 /086 W

----- 059762

R 151300Z JUL 76

FM AMCONSUL DURBAN

TO SECSTATE WASHDC 2279

INFO AMEMBASSY PRETORIA

AMCONSUL JOHANNESBURG

AMCONSUL CAPE TOWN

AMEMBASSY MBABANE

AMEMBASSY GABORONE

UNCLAS DURBAN 0324

E.O. 11652:N/A

TAGS: PINS, SHUM, PFOR, SF, WZ

SUBJECT: PIETERMARITZBURG TERRORISM TRIAL ADJOURNED

REF: DURBAN 0311, 0170

1. THE TRIAL OF TEN AFRICANS CHARGED WITH RECRUITING
"TERRORISTS" FOR THE AFRICAN NATIONAL CONGRESS (DURBAN 0170)
WAS ADJOURNED JUNE 13, ONE DAY AFTER IT BEGAN, TO ALLOW THE
JUDGE TIME TO CONSIDER PLEAS BY TWO DEFENDANTS THAT THEY WERE
KIDNAPPED FROM SWAZILAND BY SOUTH AFRICAN POLICE AND THEREFORE
OUTSIDE THE JURISDICTION OF SOUTH AFRICAN COURTS. THE TWO
MEN HAD FAILED EARLIER IN A PRE-TRIAL PETITION TO OBTAIN
THEIR RETURN TO SWAZILAND (DURBAN 0311.) IN ORAL ARGUMENT
PROSECUTION CONTINUED TO CLAIM THAT CIRCUMSTANCES
OF DEFENDANTS' CAPTURE WERE IRRELEVANT. PROSECUTOR ARGUED THAT
"SOUTH AFRICAN LAW ACCORDS WITH LAW IN ENGLAND, UNITED STATES,
INDIA AND ISRAEL. IN ALL THESE COUNTRIES THE COURTS HAVE...
DECIDED THEY WILL EXERCISE JURISDICTION OVER A PERSON ARRESTED
IN VIOLATION OF INTERNATIONAL LAW AND THAT ONCE SUCH A
PERSON IS LAWFULLY DETAINED...THE CIRCUMSTANCES OF THE
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ORIGINAL CAPTURE ARE IRRELEVANT."

2. OTHER EIGHT INDIVIDUALS PLEADED NOT GUILTY TO CHARGES.

TRIAL SCHEDULED TO RESUME AUGUST 2.

FARBER

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NNN

Message Attributes

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Disposition Event:
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